

105TH CONGRESS
2D SESSION

H. R. 3297

To suspend the continued development of a roadless area policy on public domain units and other units of the National Forest System pending adequate public participation and determinations that a roadless area policy will not adversely affect forest health.

IN THE HOUSE OF REPRESENTATIVES

FEBRUARY 26, 1998

Mr. PETERSON of Pennsylvania (for himself, Mr. OBERSTAR, Mr. YOUNG of Alaska, Mrs. CHENOWETH, Mr. HANSEN, Mr. RIGGS, Mr. HERGER, Mr. RADANOVICH, Mr. DOOLITTLE, Mr. BOB SCHAFER, Mr. SKEEN, Mr. GIBBONS, Mr. STUMP, Mr. NETHERCUTT, Mr. HILL, Mr. PICKERING, Mr. TAYLOR of North Carolina, Mr. COX of California, Mr. SOLOMON, and Mrs. CUBIN) introduced the following bill; which was referred to the Committee on Agriculture, and in addition to the Committee on Resources, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned

A BILL

To suspend the continued development of a roadless area policy on public domain units and other units of the National Forest System pending adequate public participation and determinations that a roadless area policy will not adversely affect forest health.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

1 (a) IMPLEMENTATION DELAYED PENDING PUBLIC
2 PARTICIPATION.—

3 (1) No interim or final rule to suspend or to
4 temporarily suspend road construction activities in
5 roadless areas, including construction of temporary
6 roads, on any public domain units and other units
7 of the National Forest System may be issued except
8 in accordance with this Act.

9 (2) The interim or final rule referred to in
10 paragraph (1) includes but is not limited to the no-
11 tice of proposed interim rule published in the Fed-
12 eral Register on January 28, 1998 (63 Fed. Reg.
13 4351).

14 (b) EXCEPTION AFTER PUBLIC PARTICIPATION.—
15 Subsection (a) shall be effective until the Secretary of Ag-
16 riculture—

17 (1) conducts a public hearing on the interim or
18 final rule (at which the regional forester for the re-
19 gion in which the national forest is located is in at-
20 tendance or the Chief of the Forest Service is in at-
21 tendance) in each public domain or other unit of the
22 National Forest System;

23 (2) issues a report based on the record of each
24 hearing conducted under paragraph (1) which con-
25 cludes that the interim or final rule will not—

1 (A) result in diminished forest health in
2 such public domain or other unit of the Na-
3 tional Forest System;

4 (B) adversely affect multiple use activities
5 in such public domain unit of the National For-
6 est System (including adverse economic effects
7 on timber users and adverse access effects on
8 recreation users); and

9 (C) adversely affect (economically or other-
10 wise) State, county, and local government in or
11 near such public domain or other unit of the
12 National Forest System; and

13 (3) submits such report to Congress.

14 (c) LOCATION AND PURPOSE OF PUBLIC HEAR-
15 ING.—

16 (1) The public hearing for each public domain
17 or other unit of the National Forest System shall be
18 held at a location in the national forest unit that will
19 facilitate the widest possible public participation. If
20 there is no suitable location in a national forest unit
21 for the public hearing, the Secretary of Agriculture
22 may hold the hearing at a suitable location near the
23 national forest unit.

24 (2) The public hearing for a public domain or
25 other unit of the National Forest System shall serve

1 as a forum to discuss the potential impact of the
2 suspension of road construction activities on the
3 public domain or other unit of the national forest
4 generally, on the multiple uses of the National For-
5 est System unit, on forest management and forest
6 health, and on the economic viability of States, coun-
7 ties, and townships dependent on the public domain
8 or other unit of the National Forest System.

9 (d) EFFECT OF ISSUANCE BEFORE ENACTMENT.—

10 If the system rule described in subsection (a) is issued
11 before the date of the enactment of this Act, the Secretary
12 of Agriculture shall immediately suspend the operation of
13 the rule until the Secretary complies with the conditions
14 specified in this Act.

15 (e) FEDERAL OBLIGATION.—Any implementation or
16 application of an interim or final rule referred to in para-
17 graph (a) concerning roadbuilding in roadless areas in
18 public domain or other units of the National Forest Sys-
19 tem shall not in any way affect Federal obligations, includ-
20 ing but not limited to contracts, leases, and permits.

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